

Remarks

Previously pending claims 1-2, 10-21, 23-25, 27 and 28 were rejected based on one or two pieces of prior art. In view of the amendment above, and the remarks below, further reconsideration is respectfully requested.

Remaining Claim Status

By the above amendment claims 2, 13, 15, 25 and 27 have now been cancelled (to further facilitate prosecution and to avoid redundancy in view of the above amendment to claim 1). Hence, after entry of the above amendment, claims 1, 10-12, 14, 16-21, 23, 24 and 28 will be the only claims before the Office.

Rejection Based On U.S. patent 5,256,328

U.S. patent 5,256,328 was not applied by the Office Action against claim 13 subject matter (metal oxides as the nanoparticles), or claim 27 (weight range for the nanoparticles). Both limitations are now included in amended claim 1. Hence, the rejection based on U.S. patent 5,256,328 is resolved.

Rejection Based On WO 01/96511

All still pending claims now require there to be a metal oxide nanoparticle component and a water-soluble fluorinated hydrophobic surface modifier, as a mixture with water. Further, particular weight ranges are specified for the metal oxide and surface modifier.

Original claim 13 provided support for the metal oxide limitation. Original claims 6, 7, 8, 9, and 10 provided support for the fluorinated limitation. Original claim 27 taught this weight range for the nanoparticles. Original claim 25 taught the now specified desired weight ranges of the surface modifier. Hence, these limitations have previously been searched by the Office.

The Office Actions have only briefly alluded to how this reference was thought to teach or suggest the fluorinated surface modifier. In this regard, there was a reference to page 27 of the PCT publication.

However, at page 27 there was no suggestion to include that surface modifier in an aqueous mixture that also contained metal oxide nanoparticles, particularly where the surface modifier and nanoparticles were present in the specified low weight ranges. If anything, the PCT publication at that point was making reference to this fluorinated

material as a separate coating layer to be applied after the nanoparticle solution had dried.

Attention is directed to the discussion beginning at page 24, line 27 and continuing through page 28, line 10 regarding a two step process where the nanoparticle composition was applied and then allowed to dry, with the polymer then being added thereafter. There was no suggestion of mixing a fluorinated polymer with a metal oxide, and then applying it as a mixed aqueous coating, much less doing so in a way that achieves a transparent result by virtue of particular weight ranges.

Hence, reconsideration and allowance is respectfully requested without regard to the submitted declaration.

Conclusion

The rejection based on U.S. patent 5,256,328 should be withdrawn as moot.

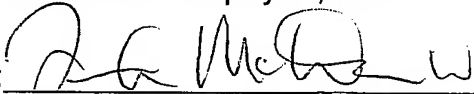
The rejection based on WO 01/96511 should not be applied with respect to the remaining amended claims as those claims now more clearly distinguish that art, and as it can be seen, the referred to portion of that reference was referring to a two step process.

No additional fees are believed to be necessary for the entry of this amendment. However, if fees are needed, please charge Deposit Account 10-0849 for the fees needed.

Respectfully submitted,

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